

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRENDA L. ERDMAN, : **CIVIL ACTION NO. 1:05-CV-0944**

:
Plaintiff : **(Judge Conner)**

v.
:
:

**NATIONWIDE INSURANCE
COMPANY,** :
:
:

Defendant :

ORDER

AND NOW, this 14th day of August, 2006, upon consideration of plaintiff's request for oral argument (Doc. 68) on the pending motion for summary judgment (Doc. 42), in which plaintiff seeks to address the issue of employee eligibility under the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654, in response to the case law cited in defendant's reply brief (see Doc. 68 at 3), and the objection thereto (Doc. 69), it is hereby ORDERED that:

1. Plaintiff shall be permitted to file, on or before August 23, 2006, a sur-reply to the motion for summary judgment (Doc. 42), citing to applicable and controlling law.
 - a. Plaintiff's sur-reply shall be limited to the issue of employee eligibility under the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654.
 - b. Any facts in support of the arguments shall include references to the applicable parts of the record.

2. If deemed necessary, the court will schedule oral argument by a future order of court.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge